

3% WITHHOLDING REPEAL AND JOB CREATION ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 674, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 674) to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there will now be 30 minutes of debate equally divided and controlled between the Senator from Montana and the Senator from Utah.

Mr. ROCKEFELLER. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time under the quorum call be equally charged.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Mr. MANCHIN.) Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 212, H.R. 674, an act to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain health care related programs, and for other purposes.

Harry Reid, Christopher A. Coons, Joe Manchin III, Kay R. Hagan, Dianne Feinstein, Benjamin L. Cardin, Al Franken, Mark Begich, Mark R. Warner, Jeff Bingaman, Tom Udall, Amy Klobuchar, Jeanne Shaheen, Barbara A. Mikulski, Kent Conrad, Michael F. Bennet, Patty Murray.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that the debate on the motion to proceed to H.R. 674, an act to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain health care-related programs, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arkansas (Mr. PRYOR) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH), and the Senator from Utah (Mr. LEE), the Senator from Illinois (Mr. KIRK), and the Senator from South Carolina (Mr. DEMINT).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 94, nays 1, as follows:

[Rollcall Vote No. 198 Leg.]

YEAS—94

| | | |
|------------|--------------|-------------|
| Akaka | Franken | Moran |
| Alexander | Gillibrand | Murkowski |
| Ayotte | Graham | Murray |
| Barrasso | Grassley | Nelson (NE) |
| Baucus | Hagan | Nelson (FL) |
| Begich | Harkin | Paul |
| Bennet | Heller | Portman |
| Bingaman | Hoeven | Reed |
| Blumenthal | Hutchison | Reid |
| Blunt | Inhofe | Risch |
| Boozman | Inouye | Roberts |
| Boxer | Isakson | Rubio |
| Brown (MA) | Johanns | Sanders |
| Brown (OH) | Johnson (SD) | Schumer |
| Burr | Johnson (WI) | Sessions |
| Cantwell | Kerry | Shaheen |
| Cardin | Klobuchar | Shelby |
| Carper | Kohl | Snowe |
| Casey | Kyl | Stabenow |
| Chambliss | Landrieu | Tester |
| Coats | Lautenberg | Thune |
| Coburn | Leahy | Toomey |
| Cochran | Levin | Udall (CO) |
| Collins | Lieberman | Udall (NM) |
| Conrad | Lugar | Vitter |
| Coons | Manchin | Warner |
| Corker | McCain | Webb |
| Cornyn | McCaskill | Whitehouse |
| Crapo | McConnell | Wicker |
| Durbin | Menendez | Wyden |
| Enzi | Merkley | |
| Feinstein | Mikulski | |

NAYS—1

Rockefeller

NOT VOTING—5

| | | |
|--------|------|-------|
| DeMint | Kirk | Pryor |
| Hatch | Lee | |

The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 1. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

• Mr. PRYOR. Mr. President, due to a prior family obligation, I was unavoidably absent for tonight's vote. I ask the RECORD show that had I been present for vote No. 198, I would have voted yea on the motion to invoke cloture on the motion to proceed to H.R. 674.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. ALEXANDER pertaining to the introduction of S. 1815 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ALEXANDER. Mr. President, I thank the Chair, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the quorum be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MERKLEY. I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE EXPLANATION

Mr. DURBIN. Mr. President, on vote No. 197, the confirmation of Scott Wesley Skavdahl to be U.S. District Judge for the District of Wyoming, I was unavoidably absent. Had I been present, I would have supported the nomination and voted yea.

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN THAT WAS DECLARED IN EXECUTIVE ORDER 12170 ON NOVEMBER 14, 1979—PM 32

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979, is to continue in effect beyond November 14, 2011.

Our relations with Iran have not yet returned to normal, and the process of implementing the agreements with Iran, dated January 19, 1981, is still under way. For these reasons, I have determined that it is necessary to continue the national emergency declared on November 14, 1979, with respect to Iran, beyond November 14, 2011.

BARACK OBAMA.
THE WHITE HOUSE, November 7, 2011.